

**DECISION** OF THE UNITED STATES  
Approved For Release 2001/08/02 : CIA-RDP82-00357R000600050030-2



FILE: B-182014

DATE:

JAN 30 1975

MATTER OF: Philip Reisine - Recredit of sick and annual leave forfeited due to alleged administrative error

DIGEST: 1. Former employee of IRS seeking compensation for annual leave alleged to have been forfeited through administrative error may not be compensated under Public Law 93-181, approved December 14, 1973, amending 5 U.S.C. § 6304, since employing agency authorized by regulations to make such determinations of error finds no error to have been made as contemplated by statute and GAO has no authority to make independent determinations of administrative error under 5 U.S.C. § 6304.

2. Claim for recredit of sick and annual leave which accrued no later than 1947 but which was not filed in the GAO until 1973 is barred from consideration by this Office pursuant to 31 U.S.C. § 71(a)(1970).

This action is in response to a letter dated June 19, 1974, from Samuel Davis, Esquire, on behalf of Mr. Philip Reisine.

**DECISION**



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE:

171947.65

DATE: DEC 13 1974

MATTER OF: 171947.65

DIGEST:

James E. Mallonee--Forfeiture of accrued annual leave

Department of Agriculture employee seeking compensation for 63 hours of annual leave alleged to have been forfeited through administrative error may not be compensated under Public Law 93-181, approved December 14, 1973, amending 5 U.S.C. § 6304, since employing agency authorized by regulations to make such determinations of error finds no error to have been made as contemplated by the statute and GAO has no authority to make independent determinations of administrative error under 5 U.S.C. § 6304.

This action is the consideration of a claim by Mr. James E. Mallonee, an employee of the Snoqualmie National Forest, Department of Agriculture, for compensation for leave accrued and forfeited at the time of his separation because of an alleged administrative error.